IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.1424 of 2007

Shivaji Gajanan Chavan — Petitioner
Vs.
Neelkamal Crates and Bins & anr. — Respondents

Mr.R.S.Kate for petitioner.
Mr.P.A.Pol, APP for State.

CORAM: B.H.MARLAPALLE, J.

August 24, 2007.

P.C.

. Heard Mr.Kate, the learned counsel for the petitioner who prays for transfer of Criminal Case No.95 of 2004 presently pending on the file of the learned Chief Judicial Magistrate, Dadra and Nagar Haveli at Silvasa to the Court of the learned Chief Judicial Magistrate at Vashi, Dist. Thane.

. Mr.Kate states that the entire cause of action for the pending complaint has taken place within the territorial jurisdiction of the learned Chief Judicial Magistrate at Vashi and, therefore, Criminal Complaint No.95 of 2004 pending on the file of the learned Chief Judicial Magistrate, Dadra and Nagar Haveli at Silvasa is not maintainable before the said Court.

. If that be the case, the petitioner has to raise the preliminary point of maintainability of the complaint before the learned Chief Judicial Magistrate, Dadra and Nagar Haveli at Silvasa, who, if satisfied, may return the complaint for being presented before the appropriate Court.

. Petition is disposed off with liberty as stated hereinabove.

(B.H.MARL